

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 87609**

This is to certify that: WASHINGTON COUNTY
256 E COURT ST
WEISER, ID 83672-2278

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
67-7916	WR/LICENSE	5/7/1993	0.020 cfs	3.6 af	N/A	0.8	GROUND WATER

Purpose of Transfer (Changes Proposed)

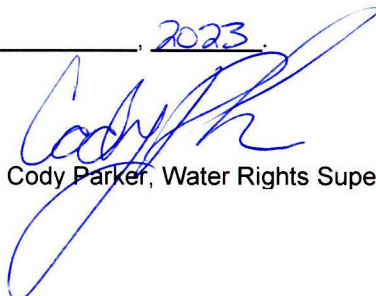
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
67-7916	NO	NO	NO	YES	NO	NO

Summary Of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (Changed Portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
67-7916	67-7916	0.020 cfs	3.6 af	N/A	0.8	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		N/A	N/A	N/A	N/A		N/A	N/A	N/A	N/A

This water right(s) is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Detailed Water Right Description(s) attached.

Dated this 17th day of APRIL, 2023.


Cody Parker, Water Rights Supervisor

Transfer No. 87609

SCANNED
APR 20 2023

WATER RIGHT NO. 67-7916
As Modified by Transfer No. 87609

In accordance with the approval of Transfer No. 87609, Water Right No. 67-7916 is now described as follows:

Right Holder: COUNTY OF WASHINGTON
 256 E COURT ST
 PO BOX 670
 WEISER, ID 83672-0670

Priority Date: 5/7/1993

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	03/01	to 11/15	0.020 cfs	3.6 af
			0.020 cfs	3.6 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	SENW	Sec 32 Twp 11N Rge 05W WASHINGTON County
GROUND WATER	SENW	Sec 32 Twp 11N Rge 05W WASHINGTON County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	05W	32								0.8									0.8

POU Total Acres: 0.8

CONDITIONS OF APPROVAL

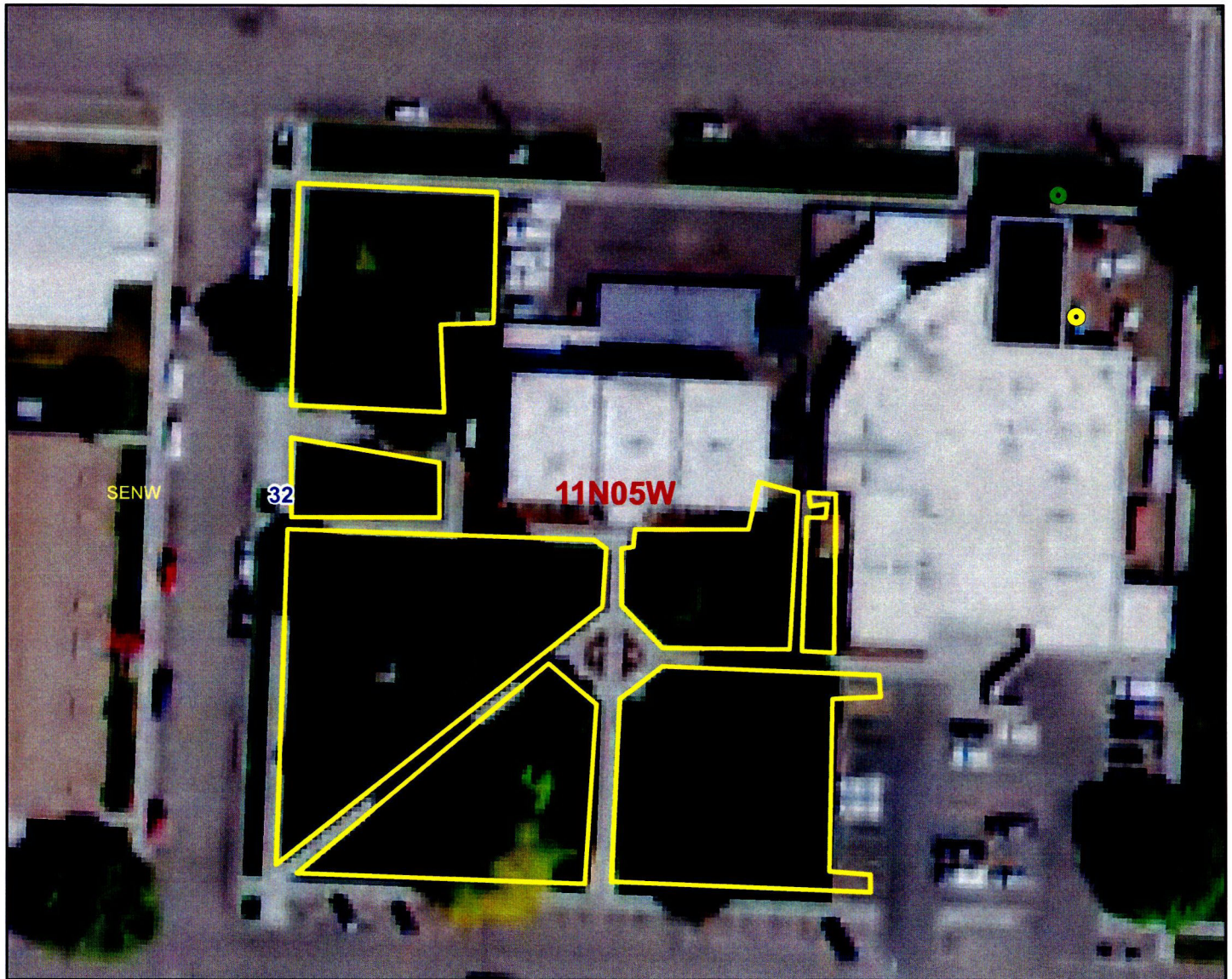
1. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 3.6 afa at the field headgate for irrigation of the place of use.
2. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Transfer No. 87609

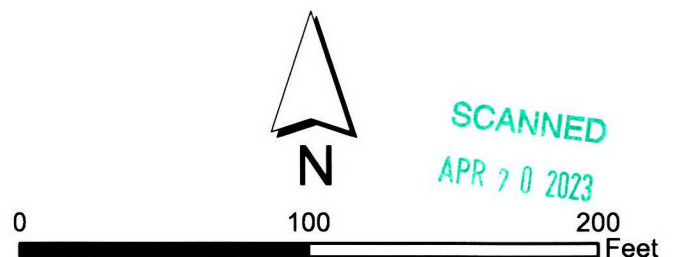
SCANNED
 APR 20 2023

Idaho Water Resource Board
Attachment to Tranfer No. 87609
Water Right 67-7916

This map depicts the IRRIGATION points of diversion and place of use for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes



- Added Point of Diversion
- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



Transfer No. 87609 **SCANNED**
APR 20 2023

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

The old well is not currently in use but a pitless adapter to 1.25-inch pressurized line to the irrigation system

- b. Who owns the property at the point(s) of diversion? Washington County

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP – ☐ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and ¼ ¼ of section information. You may create a map at idwr.idaho.gov, Water Rights, Water Right Transfers, File a Transfer Application, Step 2C.

8. SIGNATURE – The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

Signature of applicant or authorized agent

Matt Thomas, Sheriff
Print name and title if applicable

10-26-22
Date

Signature of applicant or authorized agent

Brady Johnston Chief Deputy
Print name and title if applicable

10-26-22
Date

9. FEE – ☐ The application filing fee provided in Idaho Code § 42-221.O, must be submitted with the application for transfer. Applications for changes pursuant to Idaho Code § 42-221.O.8. require a filing fee of \$50 per water right. All other application fees are based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes _____ pages of attachments.

Received by LE

Date 11/17/2022

Fee paid \$200.00 Date 11/17/2022

Received by LE

Receipt # W050693

Preliminary review by BAO

Date 3/10/2023

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☐

Name on W-9 _____

W-9 forwarded to fiscal? Yes ☐ No ☐

(Do NOT scan the W-9 – confidential information is held by fiscal only)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/21/2022

Water Right 67-7916

Owner Type **Name and Address**
Current Owner COUNTY OF WASHINGTON
256 E COURT ST PO BOX 670
WEISER, ID 83672-0670
(208) 549-2092

Priority Date: 5/7/1993

Basis: License

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/01	11/15	0.020 CFS	3.6 AF
	Total Diversion		0.020 CFS	3.6 AF

Source and Point(s) of Diversion:

GROUND WATER

SENW

Sec. 32, Twp 11N, Rge 05W, WASHINGTON
County

Place Of Use:

IRRIGATION within WASHINGTON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	05W	32								0.8									0.8

POU Total Acres: 0.8

Conditions of Approval:

1. X31 This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 3.6 afa at the field headgate for irrigation of the place of use.

Comments:

1 cparker 1/5/2017 POD
Updated Shape

2 cparker 1/5/2017 POU
Updated Shape

Dates and Other Information:

Licensed Date: 6/16/2017

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/21/2022

Water District Number: NWD
Generic Max Rate Per Acre: 0.030
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

87609



87609

SCANNED
APR 20 2023



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 20, 2023

WASHINGTON COUNTY
256 E COURT ST
WEISER ID 83672-2278

Re: Transfer No: 87609
Water Right No.: 67-7916
Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right. Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to Idaho Code § 42-1701A(3). A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

SCANNED
APR 20 2023

If you have any questions, please contact this office at (208) 287-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Debbi Judd". The signature is fluid and cursive, with the first name "Debbi" being more prominent than the last name "Judd".

Debbi Judd
Technical Records Specialist

Enclosure

CC:

COUNTY OF WASHINGTON
256 E COURT ST
PO BOX 670
WEISER ID 83672-0670

SCANNED
APR 20 2023

CERTIFICATE OF SERVICE

I hereby certify that on April 20 2023 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the persons listed below:

Re: Transfer No.: 87609

Water Right No.: 67-7916

WASHINGTON COUNTY

256 E COURT ST

WEISER ID 83672-2278

COUNTY OF WASHINGTON

256 E COURT ST

PO BOX 670

WEISER ID 83672-0670



Debbi Judd

Technical Records Specialist

SCANNED
APR 20 2023

MEMORANDUM

TO: Transfer No.87609 for WR 67-7916

FROM: Bob Howe

DATE: 03/09/2023

RE: Evaluation of Application for Transfer

The application and processing fee for transfer 87609 were received on November 17th, 2022, submitted, and signed by Matt Thomas, Washington County Sheriff, and Brady Johnston, Chief Deputy. The application purposes to add a new well approximately 65ft north of the existing well on southside of Liberty St, behind the courthouse at 256 E Court St, Weiser, ID. The transfer does not purpose to change the rate of diversion or volume elements of the appurtenant water right. The new well was completed September 22nd, 2022, and the old well is no longer in use (see figure 1). The point of contact for the application is Brady Johnston, Chief Deputy.

Supervisor Remarks: I spoke with the applicant on April 17, 2023. The original well was last used for a full irrigation season in 2021. The pump started sucking air mid-way through the 2022 season. They wish to keep the original well on the water right until they are sure that the new well will be sufficient. There does not seem to be overlap with another water source for the same irrigation use. There should be no validity or enlargement concerns as a result of this transfer.

Summary of Information Submitted

Authority to File:

The purposed new point of diversion would provide groundwater for the irrigation of the grounds surrounding the Washington County Courthouse. According to IDWR parcel data the place of use is within a parcel currently owned by Washington County. The new well is in the right of way between the sidewalk and the south side of Liberty St, adjacent to the place of use. The applicants are authorized representatives of Washington County who is the current owner of the appurtenant water right and parcel. There are no concerns regarding the authority to file the transfer.

Water Right Validity:

Water right no. 67-7916 is presumed to be valid because beneficial use has occurred within the last five years. Beneficial use has been confirmed by department aerial imagery and Google Earth images (see figure 1.1 & 1.2). There are no concerns about the validity of water right 67-7916.

Injury to Other Water Rights:

None anticipated. The transfer would allow for the new well to be used as a point of diversion for WR 67-7916 which previously diverted ground water for the irrigation of 0.8 acres, as stated in the water right license. According to the well driller's reports both the previous well and the new well (tag#97252) have a water bearing zone of 18-24ft in depth. A minor lateral movement of the point of diversion would not increase the impact of the water usage on neighboring water rights.

Enlargement of Use:

The rate and volume on the water rights will not be increased through the transfer. The validity of the full 0.8 acres of irrigation was confirmed in the analysis above, so there is no concern that the addition of a new POD would enable the owner to irrigate more acres than they have historically.

SCANNED
APR 20 2023

Local Public Interest:

There is no information available to suggest the addition of a point of diversion conflicts with the local public interest.

Beneficial Use/Conservation of Water Resources:

The applicant proposes to continue to use ground water in quantities which are within the acceptable standards for irrigation beneficial use. There are no concerns regarding the conservation of water resources. The application is consistent with criteria of I.C. § 42-222 and should be processed.

Summary**Water Right Overlap**

The water right POU is overlapped only by municipal and irrigation company water rights. There is no POD overlap.

Discussion

When updating the new POD location on GIS it was found that the data entry for wells at the location had some misfiled documents. I notified Compliance of the discrepancies cited and it is being addressed.

No conditions needed to be added to the water right due to the transfer as the water right is not subject to the administration of a water district and the elements of the water right involved do not suggest a need for further restrictions. The additional well has already been completed and the department has the permit information.

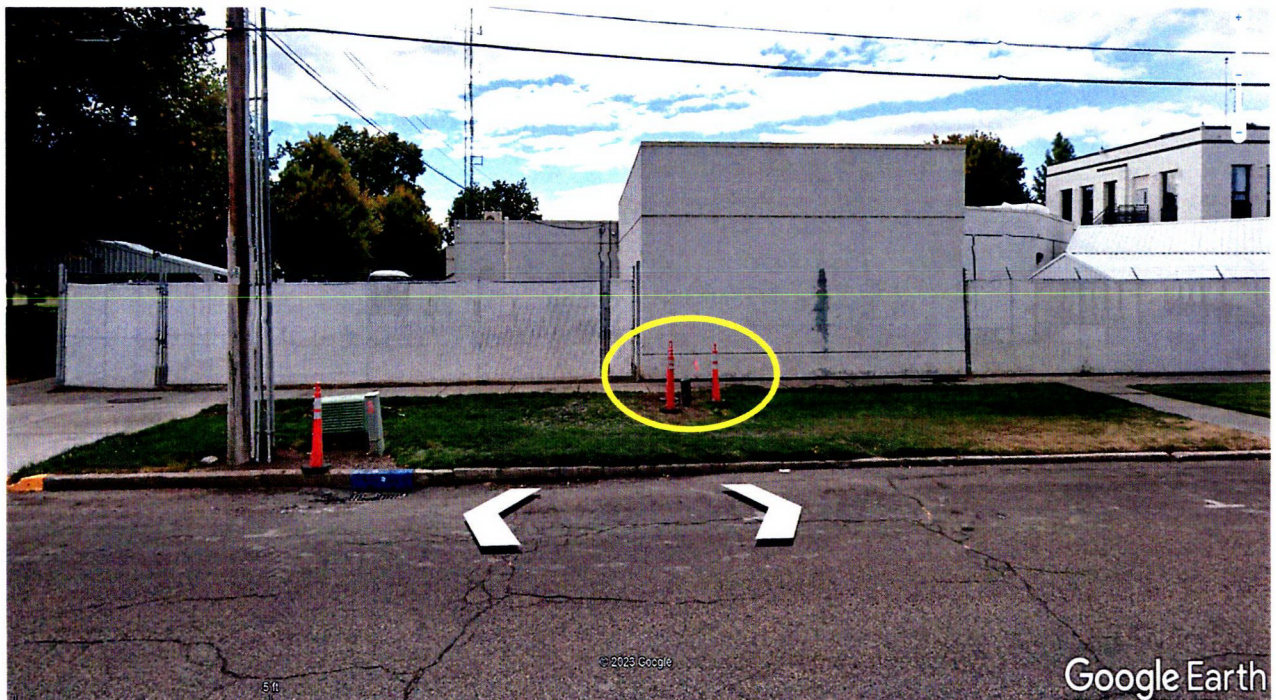


Figure 1- 2022- Google Earth street view facing south on Liberty St.- The new wellhead is visible between two orange cones (circled in yellow).

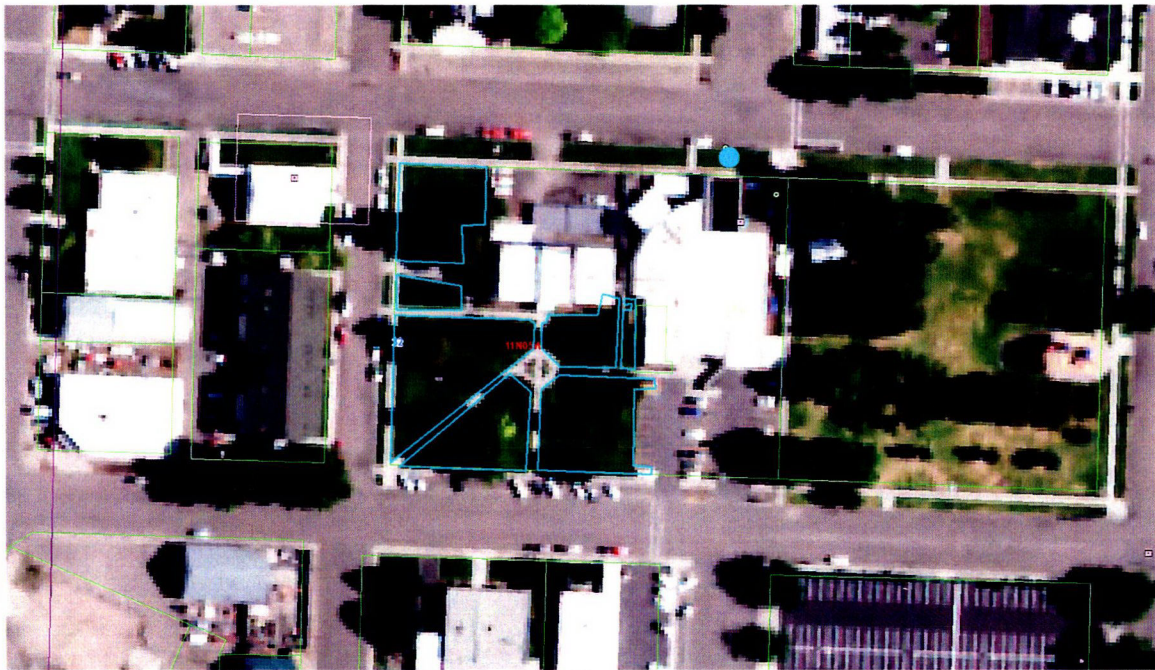


Figure 1.1- 2021- GIS image of WR 67-7916 place of use and new point of diversion (outlined in light blue and light blue point respectively).

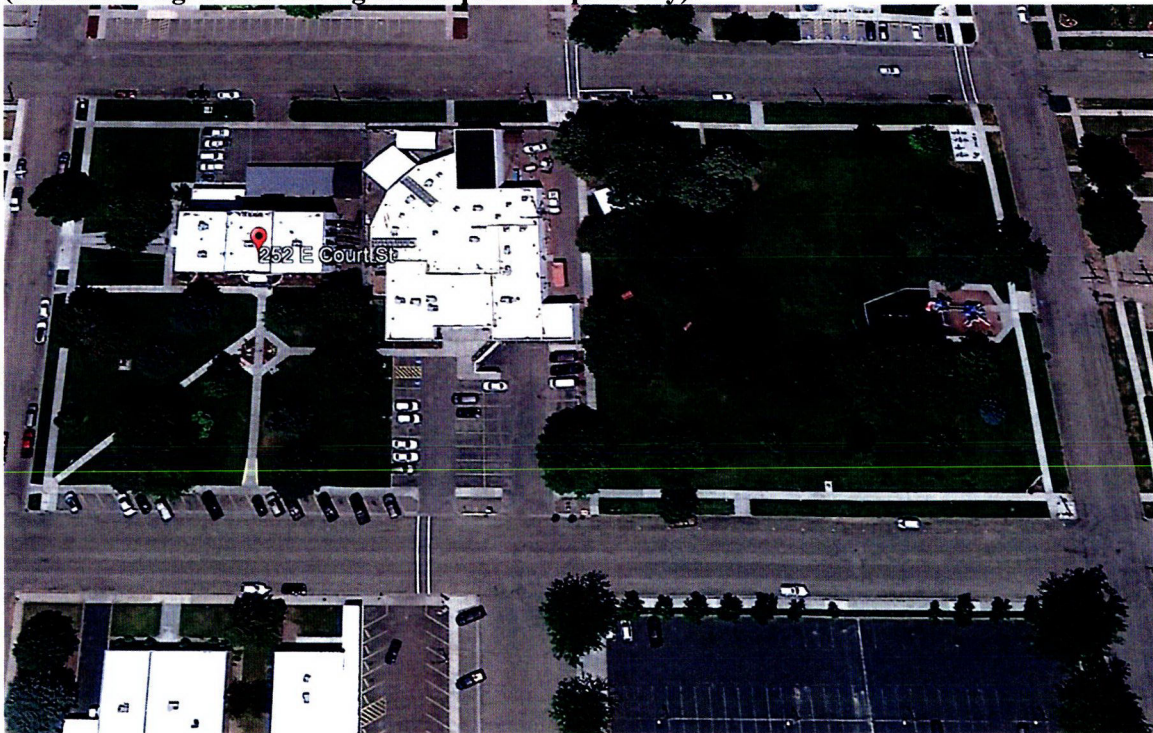


Figure 1.2- 2022 Google Earth image of WR 67-7916 Place of use, at 252 E Court St, Weiser, ID.